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SHAW PITTMAN IP GROUP 1650 TYSONS BOULEVARD SUITE 1300 MCLEAN, VA 22102			EXAMINER RAMPURIA, SHARAD K	
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			2683	

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16

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/630,134

Applicant(s)

ZELLNER ET AL.

Examiner

Sharad Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21-43 is/are pending in the application.
- 4a) Of the above claim(s) 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 21-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## ***Response to Amendment***

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-8, 12-15, 17-19, 21-22, 26, 31-36, 38, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. in view of Dzuban.

1. Regarding claim 1, Malik disclosed A method for providing the service that delivers a calling party's location (202; fig.4; col.8; 50-65) comprising:
  - a) transmitting a call from a calling party's central office to a called party's central office (102; Fig.3; col.8; 8-14), wherein data associated with the call includes a directory number (770-555-1234) of the calling party; (Col.8; 27-39)
  - b) triggering a query to a service control point from the called party's central office; (Col.8; 40-49)

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- d) returning the location information to the central office; (col.8; 8-14) and
- e) terminating the call and delivering the location information to the called party. (Col.9; 38-53 & col.6; 38-52)

Malik fails to disclosed location information associated with the calling party from an address database that stores the calling party's directory numbers and location information, wherein the location information of the calling party is recorded by a location-tracking network. However, Dzuban teaches in an analogous art, that c) in response to the query, retrieving, by using the service control point, location information associated with the calling party from an address database that stores the calling party's directory numbers and location information, wherein the location information of the calling party is recorded by a location-tracking network; (GKR; Col.3; 31-43, Col.6; 58-Col.7; 4) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include location information associated with the calling party from an address database that stores the calling party's directory numbers and location information, wherein the location information of the calling party is recorded by a location-tracking network in order to provide geographic coordinates together with the subscriber data.

2. Regarding Claim 2, Malik disclosed all the particulars of the claim except the location information is recorded during the calling party's service activation. However, Dzuban teaches in an analogous art, that The method of claim 1, wherein if the call is from a stationary device, the location information is recorded during the calling party's service activation. (Col.3; 31-43) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention

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to include the location information is recorded during the calling party's service activation in order to provide geographic coordinates together with the subscriber data.

3. Regarding Claim 3, Malik disclosed all the particulars of the claim the calling party's location information is a location where the stationary device is installed. However, Dzuban teaches in an analogous art, that The method of claim 2, wherein the calling party's location information is a location where the stationary device is installed. (Col.3; 31-43) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the calling party's location information is a location where the stationary device is installed in order to provide geographic coordinates together with the subscriber data.

4. Regarding Claim 4, Malik disclosed The method of claim 1, wherein if the call is from a mobile device, the method further comprises the step of recording the location information after the call originates and before the call is received at the central office. (Col.3; 47-53 & 13-21)

5. Regarding Claim 5, Malik disclosed The method of claim 4, the step of recording the location information comprises using a location system to determine a current location of the mobile device. (Col.3; 47-53 & 13-21)

6. Regarding Claim 6, Malik disclosed The method of claim 5, wherein the current location is in raw form and wherein the step of recording the location information further comprises

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translating the current location into a displayable form. (112; fig.3; col.7; 64 – col.8; 6 & col.12; 29-52).

7. Regarding Claim 7, Malik disclosed The method of claim 1, wherein the step of retrieving the location information comprises searching a database for the calling party's location information using the directory number. (Col.8; 27-49)

8. Regarding Claim 8, Malik disclosed The method of claim 1, wherein the step of retrieving the location information further comprises translating the location information to a displayable form. (col.7; 64 – col.8; 6 & col.12; 29-52)

12. Regarding Claim 12, Malik disclosed The method of claim 1, wherein the directory number is a telephone number of the calling party. (Col.6; 38–52)

13. Regarding Claim 13, Malik disclosed The method of claim 1, wherein the query to the service control point requests location information of the calling party. (Col.8; 40-65)

14. Regarding Claim 14, Malik disclosed The method of claim 1, wherein the database cross-references directory numbers with location information of the directory numbers. (Col.8; 27-49)

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15. Regarding Claim 15, Malik disclosed The method of claim 1, wherein a network that tracks locations of network devices provides the location information.(Col.12; 3-12)

17. Regarding claim 17, Malik disclosed A system for delivering a calling party's location information (202; fig.4; col.8; 50-65), the system comprising:

a location tracking network storing the called party's location information in an address database wherein the address database cross-references location information with directory numbers (Col.8; 27-49);

a service control point in communication with the address database, (Col.8; 40-65)

a called party's central office that receives a call from the calling party, wherein data associated with the call includes a directory number of the calling party, (Col.8; 27-39)

Malik fails to disclosed search the address database for a location description corresponding to the directory number, and to forward the location description to the central office, and wherein the central office terminates the call and delivers the location description to the called party. However, Dzuban teaches in an analogous art, that wherein the service control point is adapted to, in response to a query received from the central office, search the address database for a location description corresponding to the directory number, and to forward the location description to the central office, and wherein the central office terminates the call and delivers the location description to the called party. (GKR; Col.3; 31-43, Col.6; 58-Col.7; 4)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include location information associated with the calling party from an address database that stores the calling party's directory numbers and location information, wherein the location

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information of the calling party is recorded by a location-tracking network in order to provide geographic coordinates together with the subscriber data.

18. Regarding claim 18, Malik disclosed The system of claim 17, wherein the query is a query for routing instructions, the service control point is adapted to provide routing instructions, and the service control point returns routing instructions with the location description to the central office which forwards the location description to a display unit. (Col.8; 40-65)

19. Regarding Claim 19, Malik disclosed The system of claim 18, wherein the routing instructions are in the form of a transaction capability application part response. (TCAP; 214; Fig.4; Col.8; 50-65)

21. Regarding claim 21, Malik disclosed The system of claim 20, wherein the network devices are mobile devices and the network continually updates the address database with new location descriptions. (202; fig.4; Col.12; 3-12)

22. Regarding Claim 22, Malik disclosed The system of claim 20, wherein the network devices are stationary devices and the network records the location descriptions of the stationary devices upon installation of the stationary devices. (Col.6; 17-25)

26. Regarding claim 26, Malik disclosed The system of claim 20, wherein the network includes a network-based location system that provides the location descriptions. (Col.12; 3-12)



31. Regarding claim 31, Malik disclosed The system of claim 17, further comprising a name database cross-referencing calling party names with directory numbers, (Col.8; 27-49)

wherein the service control point is further adapted to search the name database for a name corresponding to the directory number, and to forward the name to a display unit (105; Fig.3; Col.8; 8-14), and wherein the display unit displays the location description and the name. (Col.8; 40-65)

32. Regarding claim 32, Malik disclosed The system of claim 31, wherein the display unit is a calling name display unit. (105; Fig.3; Col.8; 8-14)

33. Regarding claim 33, Malik disclosed A service control point (Col.8; 8-14) for delivering a calling party's location information, the service control point comprising:

a) a first communication link for receiving a query requesting location information of a network device, the query including a directory number of the network device; (Col.8; 27-49) and

Malik fails to disclosed search the address database for a location description corresponding to the directory number, and to forward the location description to the central office, and wherein the central office terminates the call and delivers the location description to the called party. However, Dzuban teaches in an analogous art, that b) a second communication link to an address database that cross- references calling party location information with directory numbers, wherein the query is sent from a called party's central office that receives a

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call from the network device, wherein the service control point is adapted to, in response to the query, search the address database for the calling party's location information corresponding to the directory number and to return a response message to the called party's central office with the calling party's location information. (GKR; Col.3; 31-43, Col.6; 58-Col.7; 4) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include location information associated with the calling party from an address database that stores the calling party's directory numbers and location information, wherein the location information of the calling party is recorded by a location-tracking network in order to provide geographic coordinates together with the subscriber data.

34. Regarding claim 34, Malik disclosed The service control point of claim 33, wherein the service control point is adapted to receive an integrated services digital network (ISDN; col.7; 29-43) user part (ISUP; col.12; 3-12) signaling message containing a calling party directory number, a called party directory number, and a presentation parameter. (Col.3; 41-54)

35. Regarding Claim 35, Malik disclosed The service control point of claim 33, wherein the service control point returns a transaction capability application part response including the calling party's location information and call routing instructions. (TCAP; 214; Fig.4; Col.8; 50-65).

36. Regarding claim 36, Malik disclosed all the particulars of the claim except a third communication link to a name database that cross-references calling party names with directory

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numbers. However, Dzuban teaches in an analogous art, that The service control point of claim 33, further comprising a third communication link to a name database that cross-references calling party names with directory numbers, wherein the service control point is further adapted to search the name database for a calling party name corresponding to the directory number and the transaction capability application part response includes a calling party name. (Col.6; 58-Col.7; 4) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a third communication link to a name database that cross-references calling party names with directory numbers in order to provide geographic coordinates together with the subscriber data.

38. Regarding claim 38, Malik disclosed A system for delivering a calling party's location information, the system comprising:

- a) an address database that lists directory numbers and their associated locations; (202; fig.4; Col.8; 40-65)
- b) a service control point in communication with the address database; (106; Fig.3; Col.8; 40-49) and
- c) a wireless network having a location system that tracks locations of wireless network devices, (ISUP; col.12; 3-12)

Malik fails to disclosed search the address database for a location description corresponding to the directory number, and to forward the location description to the central office, and wherein the central office terminates the call and delivers the location description to the called party. However, Dzuban teaches in an analogous art, that wherein the service control

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point is adapted to, in response to a query received from a called party's central office, wherein the called party's central office receives a call from the calling party, search the address database using a directory number associated with the calling party, and to forward an associated location of the directory number to the central office, and wherein the location associated with the calling party is updated by the location system. (Col.6; 58-Col.7; 4) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the address database for a location description corresponding to the directory number, and to forward the location description to the central office, and wherein the central office terminates the call and delivers the location description to the called party in order to provide geographic coordinates together with the subscriber data.

41. Regarding claim 41, Malik disclosed The system of claim 38, wherein the system is a part of a calling name delivery service and the system further comprises a name database that lists directory numbers and their associated calling party names, (Col.8; 40-65)

wherein the service control point is adapted to search the name database using a directory number, and to forward an associated calling party name of the directory number to a display unit. (Col.8; 40-65)

Claims 10, 24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. & Dzuban further in view of Alperovich et al.

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10. Regarding Claim 10, The above combination disclosed all the particulars of the claim except the displayable form is selected from the group consisting of a street address, a landmark, and a building name. However, Alperovich teaches in an analogous art, that The method of claim 8, wherein the displayable form is selected from the group consisting of a street address, a landmark, and a building name. (Col.3; 64 – Col.4; 14) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the displayable form is selected from the group consisting of a street address, a landmark, and a building name in order to provide the information in appropriate form.

24. Regarding claim 24, The above combination disclosed all the particulars of the claim except the network includes a handheld device. However, Alperovich teaches in an analogous art, that The system of claim 20, wherein the network includes a handheld device location system that provides the location descriptions. (Col.4; 58–65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the network includes a handheld device in order to provide moving freely in the network.

Claims 11, 28-30, 37, 39-40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. & Dzuban further in view of Valentine (WO-99/27716).

11. Regarding Claim 11, The above combination disclosed all the particulars of the claim except the group consisting of textual displays, graphical displays, and audio messages. However, Valentine teaches in an analogous art, that The method of claim 1, wherein delivering

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the location information uses a medium selected from the group consisting of textual displays, graphical displays, and audio messages. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the group consisting of textual displays, graphical displays, and audio messages in order to provide the information in appropriate form.

28. Regarding Claim 28, The above combination disclosed all the particulars of the claim except a mapping converter that translates the location descriptions from raw form to displayable form. However, Valentine teaches in an analogous art, that The system of claim 20, further comprising a mapping converter that translates the location descriptions from raw form to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the location descriptions from raw form to displayable form in order to provide the information in appropriate form.

29. Regarding Claim 29, The above combination disclosed all the particulars of the claim except the mapping converter is in communication with the service control point. However, Valentine teaches in an analogous art, that The system of claim 28, wherein the mapping converter is in communication with the service control point. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the mapping converter is in communication with the service control point in order to provide the information in appropriate form.

30. Regarding Claim 30, The above combination disclosed all the particulars of the claim except the group consisting of textual displays, graphical displays, and audio messages. However, Valentine teaches in an analogous art, that The system of claim 28, wherein the mapping converter is in communication with the network that tracks location of network devices. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the group consisting of textual displays, graphical displays, and audio messages in order to provide the information in appropriate form.

37. Regarding Claim 37, The above combination disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The service control point of claim 33, further comprising a mapping converter that translates the calling party's location information from raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling party's location information from raw to displayable form in order to provide the information in appropriate form.

39. Regarding Claim 39, The above combination disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The system of claim 38, wherein the wireless network includes a mapping converter that translates the associated location

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from a raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling party's location information from raw to displayable form in order to provide the information in appropriate form.

40. Regarding Claim 40, The above combination disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The system of claim 38, wherein the service control point includes a mapping converter that translates the associated location from a raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling party's location information from raw to displayable form in order to provide the information in appropriate form.

Claims 9, 25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. & Dzuban further in view of Dorenbosch.

9. Regarding Claim 9, The above combination disclosed all the particulars of the claim except the location information is global positioning system coordinates. However, Dorenbosch teaches in an analogous art, that The method of claim 8, wherein the location information is global positioning system coordinates. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location information is



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global positioning system coordinates in order to provide services and information tailored to the location coordinates.

25. Regarding Claim 25, The above combination disclosed all the particulars of the claim except the location information is global positioning system coordinates. However, Dorenbosch teaches in an analogous art, that The system of claim 24, wherein the handheld device location system is a global positioning system. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location information is global positioning system coordinates in order to provide services and information tailored to the location coordinates.

27. Regarding Claim 27, The above combination disclosed all the particulars of the claim except the location information is Wireless Application Protocol. However, Dorenbosch teaches in an analogous art, that The system of claim 26, wherein the network-based location system is a Wireless Application Protocol location system. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include Wireless Application Protocol in order to provide services and information tailored to the location.

Claims 16, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. & Dzuban further in view of LeBlanc.

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16. Regarding Claim 16, The above combination disclosed all the particulars of the claim except enhanced 911 services. However, LeBlanc teaches in an analogous art, that The method of claim 15, wherein the network provides enhanced 911 services. (Abstract & Col.5; 24-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include enhanced 911 services in order to provide routing E-911 call from the calling party.

23. Regarding Claim 23, The above combination disclosed all the particulars of the claim except enhanced 911 services. However, LeBlanc teaches in an analogous art, that The system of claim 20, wherein network is a wireless network that supports enhanced 911 services. (Abstract & Col.5; 24-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include enhanced 911 services in order to provide routing E-911 call from the calling party.

Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik et al. in view of Alperovich et al.

42. Regarding Claim 42, Malik disclosed A method for delivering a wireless calling party's location as part of a calling name delivery service, the method comprising:

a) receiving at a called party's central office (102; Fig.3; col.8; 8-14), a call to a subscriber of the calling name delivery service, the call including a directory number (770-555-1234) of the wireless calling party; (Col.8; 27-39)

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- b) triggering a query from the central office to a service control point requesting call routing instructions; (Col.8; 40-49)
- c) in response to the query, retrieving, by using the service control point, a location and a name of the calling party using the directory number; (Col.8; 50-65)
- d) if the location is raw, translating the location into displayable form; (112; fig.3; col.7; 64 – col.8; 6 & col.12; 29-52)
- e) returning the call routing instructions, the name, and the location to the central office; (col.8; 8-14)
- f) forwarding the call, the name, and the location to the subscriber; (Col.8; 50-65) and
- g) displaying the name and the location on a calling number display unit of the subscriber. (105; Fig.3; Col.8; 8-14)

Malik fails to disclosed A method for delivering a wireless calling party's location. However, Alperovich teaches in an analogous art, that A method for delivering a wireless calling party's location. (Col.4; 58-65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a method for delivering a wireless calling party's location in order to provide moving freely in the network.

43. Regarding Claim 43, Malik disclosed all the particulars of the claim except the wireless calling party. However, Alperovich teaches in an analogous art, that The method of claim 42, wherein prior to receiving the call at the central office, the method further comprises determining the location of the wireless calling party and recording the location. (Col.3; 54-67) Therefore, it

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would have been obvious to one of ordinary skill in the art at the time of invention to include the wireless calling party in order to provide moving freely in the network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Fri. (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Sharad Rampuria  
May 29, 2004



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600